

APPEAL NO. 031403
FILED JULY 9, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on May 6, 2003. The hearing officer determined that the appellant (claimant) sustained a compensable injury on _____, and had disability from August 20, 2002, through April 8, 2003. The claimant appeals this decision for the limited purpose of correcting an error in Finding of Fact No. 6, which refers to a back injury when, in fact, the compensable injury was to the claimant's right arm. The respondent (carrier) confirms that Finding of Fact No. 6 should be reformed to reflect that the claimant injured his right arm on the date of injury.

DECISION

Affirmed as reformed.

Finding of Fact No. 6 states:

Claimant's _____ back injury prevented him from earning wages he earned before _____ from August 20, 20002 [sic] and continuing to the date of his doctor certified him as having reached MMI [maximum medical improvement] on April 8, 2003.

As argued by the parties on appeal, the evidence reflects that the claimant sustained an injury to his right arm, not his back, on _____. In order for the decision and order to comport with the evidence, Finding of Fact No. 6 is reformed to reflect the following:

Due to the claimant's _____, right arm injury, he was unable to obtain and retain his preinjury wage from August 20, 2002, through April 8, 2003, the date upon which his doctor certified that the claimant had reached MMI.

The decision and order of the hearing officer are affirmed as reformed.

The true corporate name of the insurance carrier is **PACIFIC EMPLOYERS INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**ROBIN M. MOUNTAIN
6600 CAMPUS CIRCLE DRIVE EAST, SUITE 300
IRVING, TEXAS 75063.**

Chris Cowan
Appeals Judge

CONCUR:

Gary L. Kilgore
Appeals Judge

Edward Vilano
Appeals Judge